

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

KEITH LEE FRYE,

Plaintiff,

v.

Civil Action No. 2:13-07796

CAROLYN W. COLVIN,  
Acting Commissioner of the Social  
Security Administration,

Defendant.

MEMORANDUM OPINION AND ORDER

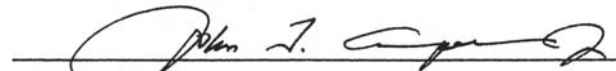
The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on August 5, 2015; and the magistrate judge having recommended that the court dismiss Plaintiff's complaint without prejudice, and dismiss this matter from the court's docket; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein; and

2. The Plaintiff's complaint be, and it hereby is, dismissed without prejudice, and with leave to refile a new action in this court within thirty (30) days.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record, any unrepresented parties, and the United States Magistrate Judge.

DATED: August 27, 2015

A handwritten signature in black ink, appearing to read "John T. Copenhaver, Jr.", is written over a horizontal line.

John T. Copenhaver, Jr.  
United States District Judge